

REMARKS

This application has been carefully considered in light of the Final Official Action on the merits of April 15, 2005 and a telephone interview with the Examiner on July 14, 2005. The applicant again thanks the Examiner for the courtesy of granting the interview after the Final Official Action. This application contains claims 1 to 23, claims 1, 5, 6, 9 are amended and claim 4 is cancelled in this amendment.

The Examiner has objected to claims 1-12, 14-17 and 20-23 previously on file under 35 U.S.C. 103(a) as unpatentable over Ward et al., '844 in view of United States Patent No. 4,462,497 (Maule).

The teachings of United States Patent No. 4,178,844 are of interest. The cooking grid taught in this reference is of interest in that it teaches a two-way adjustable cooking grid, which is adjustable for both length and width. The purpose of the cooking grid disclosed by Ward et al., is to provide an adjustable grid which is capable of supporting food articles of varying size and shape in a roasting pan off the bottom of the pan (col 2 lines 44-54). Although the roasting pan is often inserted into a cooking device, such as an oven, in order to cook the food, it is clear from the teachings of the description that Ward et al., never intended to use their cooking grid as a divided oven rack. Moreover, as the Examiner states on page 5 of the Action, Ward et al., do not disclose of the grids being connected by mutually engaged rods to form a joint wherein the ends of one set of rods is inserted into the ends of the other set of rods, so that a channel passes through each of the ends and is held in-line with a pin passing therethrough.

The Applicant acknowledges that the prior art discloses various forms of grid and display stand formulations, wherein the rods of the grids are connected to each other in different ways. United States Patent No. 4,462,497 to Maule, for example, discloses a display stand comprising a generally upright elongated support with generally horizontally disposed supporting members secured in interlocking relationship. The teachings of Maule, while being of interest, by no means solve the problem successfully achieved by the

present invention. It is respectfully submitted that amended claims 1 and 9 submitted herewith are not obvious having regard to the clear and strict requirements of obviousness laid down by United States law and code and that no reasonable combination of the art made of record would enable a person skilled in the art readily to contemplate the specific teachings of the present invention.

The present invention as broadly claimed in claims 1 and 9 presented herewith relates to a supporting rack which is typically used as an oven rack. The supporting rack of the present invention comprises a planar surface comprising a first and a second section, whereby each section is defined by a plurality of cross rods and a plurality of mutually engaged rods that are disposed perpendicularly to the cross rods and connection means adapted to allow for connection of the planar surface sections to form a unitary planar supporting surface. This unitary planar supporting surface can be used to support food or food containers in or outside a cooking apparatus. The connection means of the present invention comprises the plurality of mutually engaged rods, the first and second sections being connected at at least one joint. The at least one joint being formed by insertion of an end portion of one of the plurality of mutually engaged rods of the first section into an end portion of one of the plurality of mutually engaged rods of the second section. A channel passes through each of the end portions of said mutually engaged rods of the first and second sections and the channels assume an in-line position when the sections are joined together and the end portions are secured with at least one securing pin passing through the channels. In addition, the first and second surface sections are capable of being folded about the connection means or detached from each other to reduce the overall space occupied by the rack and to facilitate handling and storage of the rack.

As discussed in our telephone interview with Examiner, the language of amended claims 1 and 9 submitted herewith clearly and concisely describes the present invention and distinguishes patentably over the known prior art. In particular, neither reference alone or in combination describe or suggest a supporting rack as described and

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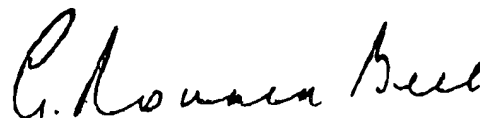
claimed in the present application. In addition, the amendments effected to claims 1 and 9 submitted herewith fully address those objections raised by the Examiner under 35 U.S.C. 112.

The Examiner's rejection of claims 2-8, 14-17, and 20-23 is believed to be overcome considering the fact that claims 2, 3, 5-8, 10-12, 14-17, and 20 directly or indirectly depend on claim 1 and claims 21-23 depend on claim 9 as well claim 4 has been removed from the claim set submitted herewith. Accordingly, reconsideration of the matter is respectfully requested.

It is believed that the application is now in condition for allowance and early action in that respect is courteously solicited.

Respectfully submitted,

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